

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

Prisons Department – Central Prison, Cherlapalli – Transfer of Sri Satish Kumar, S/o Sri Manohar, Convict No.6879, Central Prison, Cherlapalli to Borstal School, Nizamabad, under Section 10-A, of the A.P. Borstal School Act, 1925 – Orders – Issued.

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**HOME (PRISONS.B) DEPARTMENT**

**G.O.MS.NO. 331**

**DATED:17-07-2009**

**Read the following:-**

- 1.From the Hon'ble High Court of Andhra Pradesh, Hyderabad, Judgment, dated 25-09-2008 in Criminal Appeal Nos.1133 of 2006 and 13 of 2007.
- 2.From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Letter No.70/SB2/2008, dated 07-05-2008.

. . . . .

**ORDER:**

In the reference first read above, the Hon'ble High Court of Andhra Pradesh, Hyderabad, has directed the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, to consider the case of Sri Satish Kumar, S/o Sri Manohar, R/o.Footpath at L.N. Reddy & Roads, Himayathnagar, Hyderabad, and to send him to Borstal School under Section 10 of the Borstal Schools Act, 1925, and his case shall be dealt with in accordance with the provisions of the said A.P.Borstal School Act, 1925, with regard to sentence.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, has submitted necessary proposals to the Government stating that Sri Satish Kumar, S/o Sri Manohar, Convict No.6879 was sentenced to life imprisonment, U/s.302 r/w 34 IPC and to pay fine of Rs.100/- i/d S.I. for (1) month by the Hon'ble I Addl. Metropolitan Sessions Judge, Hyderabad vide Judgment, dated 21-06-2006 in Sessions Case No.458/2005 and committed to Central Prison, Cherlapalli vide Committal Warrant, dated 21-06-2006 and the Judgment delivered by the Sessions Judge, Hyderabad, was confirmed by the Hon'ble High Court of Andhra Pradesh, Hyderabad. He has also stated that the age of the Convict was noted as 19 years on the date of conviction, after due enquiry caused by the said Court. He has further stated that as per the Transfer Certificate issued by Municipal Higher Primary School, Bidar, the age of the Convict as on the date of conviction i.e., 21-06-2006 was 18 years, 2 months, as his date of birth being 01-04-1988.

3. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, has also stated that according to Section 8 of the A.P.Borstal School Act, 1925, the sentence of detention in a Borstal School shall in no case extend beyond the date on which the adolescent offender will, in the opinion of the Court, attain the age of twenty three years, and the Hon'ble High Court of Andhra Pradesh, Hyderabad, in the above orders also ordered that the appellant shall be

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dealt with under the provisions of Borstal School with regard to sentence. He has further stated that as per Sub-Section (2) of Section 10-A of Borstal School Act, 1925, as amended vide Gazette Notification No.8, dated 02-03-2001, a prisoner has to be ordered to be retained in Borstal School for a period of 2 years from the date of transfer. He has, therefore, requested the Government to issue necessary orders in the matter, immediately, as directed by the Hon'ble High Court of Andhra Pradesh, Hyderabad, in its Judgment, dated 25-09-2008 in Criminal Appeal Nos.1133 of 2006 and 13 of 2007.

4. Government after careful examination and in exercise of the powers conferred under Section 10(A) (1) of the A.P. Borstal School Act, 1925, here by order to transfer, Sri Satish Kumar, S/o Sri Manohar, Convict No.6879, Central Prison, Cherlapalli to Borstal School, Nizamabad. It is also ordered that the term of the detention of the Convict in the Borstal School, Nizamabad, shall be for a minimum period of 2 years, under Sub Section (1) of Section 10-A of the Andhra Pradesh Borstal School Act, 1925. (As amended in the Act, No.3 of 2001).

5. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**AJAY MISRA,  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General and Inspector General of Prisons  
and Correctional Services, A.P., Hyderabad.

The Superintendent, Central Prison, Cherlapalli.

The Superintendent, Borstal School, Nizamabad.

**Copy to:-**

The Registrar, High Court of Andhra Pradesh, Hyderabad.

The individual concerned

through the Director General and Inspector General of Prisons  
and Correctional Services, A.P., Hyderabad.

SF/SC.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**